

Ordinance No. 121043

Council Bill No. 114431

The City of Seattle Council Bill/Ordinance

AN ORDINANCE relating to historic preservation, imposing controls upon Gas Works Park, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

pass 1-0

12-16-02 Pass

CF No. _____

Date Introduced:	DEC - 9 2002	
Date 1st Referred:	To: (committee)	Neighborhoods, Arts & Civil Rights Committee
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>12-16-02</u>	<u>70</u>	
Date Presented to Mayor:	Date Approved:	
<u>12-17-02</u>	<u>12-20-02</u>	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. <input checked="" type="checkbox"/>
<u>12-20-02</u>	<u>4 P</u>	
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department
Law Dept. Review

Council Bill/Ordinance sponsored by: _____

[Handwritten signature]

Councilmember

Committee Action:

pass 1-0

NL

12/12/02

(CP)

12-16-02 Passed 7-0 (Excused: Nicastro, Stambrook)

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

(V)
City Clerk
Review

(E)
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Indexed

*MP final note
Review
Final Copy Loaded
Final Note*

ORDINANCE 121043

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5 Park, a Landmark designated by the Landmarks Preservation Board under Chapter
6 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical
7 Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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9 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code
10 (SMC), establishes a procedure for the designation and preservation of structures and
11 areas having historical, cultural, architectural, engineering or geographic importance;
12 and

13
14 WHEREAS, the Landmarks Preservation Board, after a public meeting on March 17, 1999
15 voted to approve the nomination of the Gas Works Park in Seattle as a Landmark
16 under SMC Chapter 25.12; and

17
18 WHEREAS, after a public meeting on April 21, 1999 the Board voted to approve the
19 designation of the Gas Works Park and the site as a Landmark under SMC Chapter
20 25.12; and

21
22 WHEREAS, on June 21, 2000 the Board and the owners of the designated property agreed
23 to controls and incentives; and

24
25 WHEREAS, the Board recommends to the City Council approval of controls and incentives;

26
27 NOW THEREFORE,

28
29 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

30
31 Section 1. DESIGNATION: The designation by the Landmarks Preservation Board
32 of Gas Works Park, and its site, described as:

33
34 Beginning at the Northeast corner of Lot 1, Block 42, Lake Union Shore Lands;
35 thence south 23 degrees 06 feet 21.7" East along the southwesterly line of Waterway
36 No. 19, a distance of 559.843 feet, thence south 22 degrees 27 feet 54.3" west, a
37 distance of 224.992 feet thence south 70 degrees 23 feet 49.8" west, a distance of
38 381.54 feet; thence north 89 degrees 46 feet 15.2" west a distance of 537.658 feet to
39 the most southerly corner of Lot 2, Block 44, Lake Union Shire Lands; thence north
40 48 degrees 26 feet 05.3" west along the southwesterly line of said Block 44 to the
41 most westerly corner of Lot 1, said block; thence continuing 48 degrees 26 feet 05.3"
42 west along the southeasterly line of Block 45, Lake Union Shire Lands to the most
43 westerly corner of Lot 5, said block; thence northeasterly along the northwesterly lines
44 of Lot 5, Block 45 and Lot 5, Block 8, Burke's First Addition to the City of Seattle
45 according to plat thereof recorded in Volume 1 of plats page 236, in King County,
46 Washington; thence southeasterly along the northeasterly line of said Block 8
47 projected, to point of intersection with a line connecting the most northerly corner of
48 Block 44, Lake Union Shore Lands to the southwesterly corner of Lot 6, Block 6



1 thence north along the west line of block 3, Supplemental Plat of Block 3, Burke's
2 Addition to the City of Seattle as recorded in Volume 2 of Plats pate 109, to the
3 southerly line of the Burlington Northern's railway right of way; thence westerly
4 along said southerly line to the east line of Block 2, said Burke's First Addition;
5 thence south along said east line to a point thereon distant 60 feet north of the
6 southeast corner therefrom; thence along a curve to the right having a uniform radius
7 of 796.82 feet to a point on the southwesterly lone of Lot 8, said Block 2, distant 25
8 feet southeasterly of its intersection with the west line of said Lot 8; thence
9 northwesterly along said southwesterly line to the west line of said Lot 8; thence
10 north along said west line to its intersection with the northerly line to its intersection
11 with the westerly line of said Block 1; thence northerly along said westerly line to
12 the south line of Northlake Way North as established by Ordinance No. 33626;
13 thence east along said south line to the beginning; together with the vacated streets
14 therein; except any portion therein lying within the Burlington Northern railway right
15 of way

16
17 as a Landmark based upon satisfaction of the following standards of SMC Section
18 25.12.350:

19
20 C. It is associated in a significant way with a significant aspect of the cultural,
21 political, or economic heritage of the community, City, state or nation;

22
23 E. It is an outstanding work of a designer or builder;

24
25 F. Because of its prominence of spatial location, contrasts of siting, age, or scale, it
26 is an easily identifiable visual feature of its neighborhood and the City and contributes to the
27 distinctive quality and identity of its neighborhood and the City;

28
29 is hereby acknowledged.

30
31 Section 2. CONTROLS: The following controls are hereby imposed on the features
32 and characteristics of the Gas Works Park and its site, that were designated by the Board for
33 preservation:

34
35 A. CERTIFICATE OF APPROVAL PROCESS

36
37 1. A Certificate of Approval, issued by the City of Seattle's Landmarks
38 Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time
39 for denying a Certificate of Approval application must have expired, before the owner may
40 make alterations or significant changes to:

41
42 The entire site, including the exteriors of all buildings and structures.

43
44 2. A Certificate of Approval is not required for any in-kind maintenance or
45 repairs of the features listed in subsection 1. In-kind maintenance and repair is defined for
46 this landmark site as those actions including, but not limited, to re-painting and re-staining
47 playground equipment and furniture with the existing color(s), re-paving and re-stripping of
48 parking lot and in-kind replacement of chain link fences.

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3. To ensure the public health and safety of Park users, and to protect the Park's environment, a Certificate of Approval is not required for any work required by the Consent Decree entered into King County Superior Court on December 23, 1999 and as outlined in the Engineering Design Report approved by the Landmarks Preservation Board on May 17, 2000 and attached to the Controls and Incentives Agreement as Exhibit A with the exception of the shoreline erosion control design for which a Certificate of Approval is required.

4. No Certificate of Approval will be required for any temporary structures associated with a Special Event Permit issued by the Seattle Special Events Committee.

Section 3. INCENTIVES

A. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use.

B. Building and Energy Code exceptions on an application basis.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. The Gas Works Park and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.

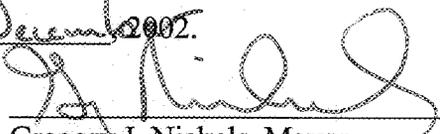


1
2 Section 7. This ordinance shall take effect and be in force thirty (30) days from and
3 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
4 (10) days after presentation, it shall take effect as provided by Municipal Code Section
5 1.04.020.
6

7 Passed by the City Council the 16th day of December, 2002, and signed by me in
8 open session in authentication of its passage this 16th day of December, 2002.

9
10 
11 President _____ of the City Council

12
13 Approved by me this 20 day of December 2002.

14 
15 _____
16 Gregory J. Nickels, Mayor

17
18 Filed by me this 20th day of December, 2002.

19 
20 _____
21 City Clerk

22
23
24 (Seal)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

October 18, 2002

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

Gas Works Park is one of five Parks and Recreation Department properties recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Friends of Gas Works Park and was supported by the Seattle Department of Parks and Recreation. The site alterations associated with the recently completed environmental cleanup project were approved by the Landmarks Preservation Board.

Pursuant to the designation, a Controls and Incentives Agreement has been approved by both the Landmarks Preservation Board and the Parks and Recreation Department. This agreement includes landmark controls at the site, including the exteriors of all buildings and structures. Not included in the controls is any work required by the Consent Decree entered into King County Superior Court in 1999 regarding the environmental cleanup. Also excluded from the controls are temporary structures associated with Special Event permits granted by the Seattle Special Events Committee.

Thank you for your consideration of this legislation. Should you have questions please contact Elizabeth Chave in the Department of Neighborhoods at 684-0380.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, stylized flourish.

GREG NICKELS
Mayor of Seattle

cc Honorable Members of the Seattle City Council



600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

FILED
CITY OF SEATTLE



Return Address:

2003 FEB 26 AM 11:01

Seattle City Clerk's Office

600 4th Avenue, Room 104 CITY CLERK

Seattle, WA 98104

20021230000078
24.00

SEATTLE CITY C MISC
PAGE 001 OF 006
12/30/2002 08:48
KING COUNTY, WA

ord: 121043

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

Document Title(s) (or transaction contained therein): (Insert Ordinance or Resolution Number Here)
1.121043

(Insert Legislation Title Here) AN ORDINANCE relating to historic preservation, imposing controls upon Gas Works Park, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Grantor(s) 1. City of Seattle Additional names on page ___ of document.

Grantee(s) (Last name first, then first name and initials) 1. N/A 2. 3.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) Additional reference #s on page ___ of document N/A

Assessor's Property Tax Parcel/Account Number # _____ Assessor Tax # not yet assigned. N/A

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25 WHEREAS, the Board recommends to the City Council approval of controls and incentives;
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3 environment, a Certificate of Approval is not required for any work required by the Consent
4 Decree entered into King County Superior Court on December 23, 1999 and as outlined in
5 the Engineering Design Report approved by the Landmarks Preservation Board on May 17,
6 2000 and attached to the Controls and Incentives Agreement as Exhibit A with the exception
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28 Officer, and deliver one copy to the Director of the Department of Design, Construction and
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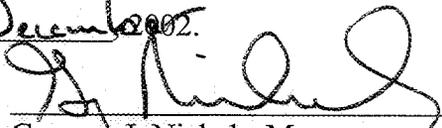


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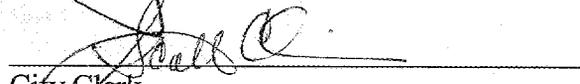
7 Passed by the City Council the 16th day of December, 2002, and signed by me in
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9
10 
11 President _____ of the City Council

12
13 Approved by me this 20 day of December 2002.

14
15 
16 Gregory J. Nickels, Mayor

17
18 Filed by me this 28th day of December 2002.

19
20 
21 City Clerk

22
23
24 (Seal)



STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} 55

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE NOTION AND FOREGOING IS A TRUE AND CORRECT
COPY of City of Seattle Ord No. 121043
AS IT NOW APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS

JUDITH E. PIPPIN
CITY CLERK

BY


CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

153103
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

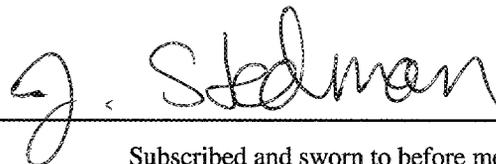
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 121043

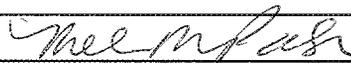
was published on

12/30/2002



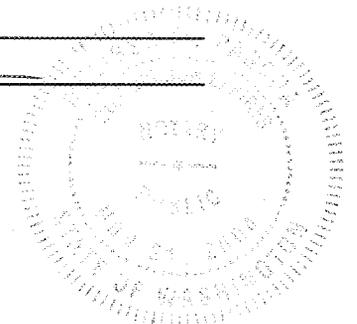
Subscribed and sworn to before me on

12/30/2002



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 121043

AN ORDINANCE relating to historic preservation, imposing controls upon Gas Works Park, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on March 17, 1999 voted to approve the nomination of the Gas Works Park in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 21, 1999 the Board voted to approve the designation of the Gas Works Park and the site as a Landmark under SMC Chapter 25.12; and

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WHEREAS, the Board recommends to the City Council approval of controls and incentives;

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